

Docket No.  
108604/002  
RAK:ms

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Eugene S. Pearlman  
Serial No. : To be assigned Group No.  
Filed : April 30, 1999 Examiner:  
For: : ALGORITHMIC TESTING IN LABORATORY MEDICINE

DECLARATION CLAIMING SMALL ENTITY STATUS  
UNDER 37 C.F.R. 1.9(f) AND 1.27(c) - SMALL BUSINESS CONCERN

I hereby declare that I am an official of the small business concern empowered to act on behalf of the concern identified below:

CENTRALIZED LABORATORY SERVICES INC  
43-25 Hunter Street  
Long Island City  
New York 11101

I hereby declare that the above identified small business concern qualifies as a small business concern as defined in 13 C.F.R. 121.3-18, and reproduced in 37 C.F.R. 1.9(d), for purposes of paying reduced fees under Section 41(a) and (b) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention, entitled ALGORITHMIC TESTING IN LABORATORY MEDICINE by inventor Eugene S. Pearlman,

650E400-547E0E60

described in the specification being filed herewith, on April 30, 1999.

If the rights held by the above identified small business concern are not exclusive, each individual, concern or organization having rights to the invention is listed below and no rights to the invention are held by any person, other than the inventor, who could not qualify as a small business concern under 37 C.F.R. 1.9(d) or by any concern which would not qualify as a small business concern under 37 C.F.R. 1.9(d) or a nonprofit organization under 37 C.F.R. 1.9(e).

No such person, concern or organization.

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 C.F.R. 1.28(b))

I hereby declare that all statements made herein or my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

CENTRALIZED LABORATORY SERVICES, INC.

4/28/, 1999

By: Marc S. Wolfert  
Name: Marc S. Wolfert  
Title: Senior Vice President, Chief Operating Officer

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DECLARATION FOR UTILITY  
OR DESIGN PATENT  
APPLICATION (37 CFR 1.3)

Declaration Submitted with initial Filing       Declaration Submitted After initial Filing (surcharge (37 CFR 1.6(e)) required)

Attorney Docket Number	108604/002
First Named Inventor	Eugene S. Pearlman
<i>COMPLETE IF KNOWN</i>	
Application Number	/
Filing Date	Concurrently Herewith
Group Art Unit	
Examiner Name	

As a below named inventor, I hereby declare that:

My residence, post office address, and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

# ALGORITHMIC TESTING IN LABORATORY MEDICINE

the specification of which

if attached hereto *(Title of the Invention)*  
OR

was filed on (MM/DD/YYYY) \_\_\_\_\_ as United States Application Number or PCT International

Application Number  and was amended on (MM/DD/YYYY)  (if applicable)

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or of any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number(s)	Country	Foreign Filing Date (MM?DD?YYYY)	Priority Not Claimed	Certified Copy Attached	
			<input type="checkbox"/>	<input type="checkbox"/> YES	<input type="checkbox"/> NO
			<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>

Additional foreign application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto.

I hereby claim the benefit under 35 U.S.C. 119(e) of any United States provisional application(s) listed below.

Application Number(s)	Filing Date (MM/DD/YYYY)	<input type="checkbox"/> Additional provisional application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto.
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Burden Hour Statement: This form is estimated take 0.4 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SENT TO: Assistant commissioner for Patents, Washington, DC 20231.

sent by: STROOCK 180 MAIDEN LANE

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Please type a plus sign (+) inside this box → 

PTO/SB/01 (12-97)

Approved for use through 9/30/00. OMB 0651-0032

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DECLARATION – Utility or Design Patent  Application

I hereby claim the benefit, under 35 U.S.C. 120 of any United States application(s), or 365(c) of any PCT International application designating the United States of America listed below, and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. 112, I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.36 which becomes available between the filing date of the prior application and the national or PCT International filing date of this application.

U.S. Parent Application or PCT Parent Number	Parent Filing Date (MM/DD/YYYY)	Parent Patent Number (if applicable)

Additional U.S. or PCT International application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto. As a named inventor, I hereby appoint the following registered practitioner(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:  Customer Number  →   
 OR

Registered practitioner(s) name/registration number listed below.

Name	Registration Number	Name	Registration Number
Lawrence Rosenthal	24,377		
Steven B. Pokotilow	26,405		
Howard M. Gitlin	32,138		
Rashida A. Karmali	43,705		

Additional registered practitioner(s) named on supplemental registered Practitioner Information sheet PTO/SB/02C attached hereto.

Direct all correspondence to:  Customer Number  Correspondence address below  
or Bar Code Label

Name: STROOCK & STROOCK & LAVAN LLP

Address: 180 Maiden Lane

Address:

City: New York State: New York ZIP: 10038

Country: U.S. Telephone: (212) 806-1400 Fax: (212) 806-6006

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Name of Sole or First Inventor

A petition has been filed for this unsigned inventor

Given Name (first and middle) (if any):

Family Name or Surname:

Sugene S.

Pearlman

Inventor's Signature

*X* *El Pearlman, MD*

Date:

4/30/99

←

Residence: City:

New York State: N.Y. Country: U.S.

Residence: City:

Residence: City:

Post Office Address:

130 East 67th Street, New York, New York 10021

Post Office Address:

Post Office Address:

City:

State:

Zip:

Country:

Additional inventors are being named on the supplemental Additional Inventor(s) sheet(s) PTO/SB/02A attached hereto  
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